

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 93-153

AMENDMENT OF SITE CLEANUP REQUIREMENTS ORDER NO. 91-119:

MICRO STORAGE CORPORATION,
KIM CAMP III,
KIMBALL SMALL INVESTMENTS III,
WESTALL CORPORATION,
CAMPEAU CORPORATION CALIFORNIA,
INTERNATIONAL DIAGNOSTIC TECHNOLOGIES, &
BOEHRINGER INGELHEIM CORPORATION:
FORMER MICRO STORAGE FACILITY
2986 OAKMEAD VILLAGE COURT
SANTA CLARA, SANTA CLARA COUNTY

INTEL CORPORATION &
3000 OAKMEAD VILLAGE DRIVE LTD.:
FORMER INTEL MAGNETICS FACILITY
3000 OAKMEAD VILLAGE DRIVE
SANTA CLARA, SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. SITE DESCRIPTION The combined Micro Storage Corporation/Intel Magnetis (MSC/IM) site, consists of two adjacent properties, 2986 Oakmead Village Court and 3000 Oakmead Village Drive in the City of Santa Clara, Santa Clara County (figure 1).
2. SITE HISTORY Land use in the area was primarily agricultural until the 1970's, when light industrial and commercial development began. The site at 2986 Oakmead Village Court (MSC site) was first developed in 1978. The first occupant of the facility built at the MSC site was International Diagnostic Technologies (IDT). IDT occupied the site from May 1979 to June 1984. Micro Storage Corporation (MSC) next occupied the site, from June 1985 to December 1986. The 3000 Oakmead Village Drive site (IM site) was constructed in 1977 and occupied by Intel Magnetis (IM) as a magnetic bubble production and testing facility. IM has since ceased operations at the site. The IM site is immediately to the north and downgradient relative to groundwater flow from the MSC site.
3. SITE POLLUTION Pollution of soil and groundwater was discovered at the IM

site in early 1982. Subsurface investigations at the IM site revealed the presence of TCE, TCA, and Freon-113 in the shallowmost water bearing zone. Based on these investigations, it was concluded that a solvent release had occurred at IM. Groundwater extraction and treatment commenced at the IM site in 1984.

In August of 1986, two upgradient monitoring wells were installed at the MSC site, then occupied by MSC, to investigate a possible upgradient pollutant source. Groundwater from these wells contained volatile organic compounds (VOC's) at concentrations higher than reported in groundwater sampled from the downgradient wells at the IM site, indicating that a portion of the pollution plume may have emanated from the MSC site. Subsequent investigations revealed that releases of solvents to groundwater had taken place at the MSC site and that VOC polluted groundwater had migrated downgradient offsite and commingled with the polluted groundwater from the IM site. The groundwater extraction and treatment system was expanded to include the MSC site in 1990.

4. REGULATORY ISSUES The IM site was placed on the National Priority List (Superfund) in May 1986. In 1988, the the MSC site was included with the IM site as one combined Superfund site. Board Order No. 91-119, final site cleanup requirements and remedial action plan for the MSC/IM site, named three entities as primarily responsible parties (PRP's) for cleanup of the site: Intel Corporation (IM's owner), MSC, and Kim Camp III, the owner of the MSC site. Kim Camp III was named as a PRP because MSC had been dissolved, declared bankruptcy, and was not complying with the Board's interim site cleanup requirements. As landowner of the the MSC site, Kim Camp III became a PRP.

Order No. 91-119 found that, "TCE was detected in a monitoring well located upgradient to the Intel solvent tank in late 1982 which was three years prior to the leasing of the the MSC site by Micro Storage Corp. Therefore, previous owner(s) and/or operator(s) of the the MSC site may be PRP's. However, at this time, the Board has insufficient information to name any other parties as PRP's. In the future, if new evidence becomes available to the Board that other PRP's are responsible for the combined MSC/IM site, then this Order may be revised." This Order Amendment finds that IDT was a tenant at the MSC site prior to MSC's tenancy and that IDT was responsible for a release of solvents that has contributed to the groundwater pollution found at the MSC/IM site. This Order amends Order No. 91-119 to include IDT and Boehringer Ingelheim Corporation (BI), the parent corporation of IDT during IDT's tenancy, as additional dischargers and PRP's.

5. BASIS FOR NAMING IDT Wells IM-1 and IM-2 were installed in 1982 and

were the first monitoring wells installed at the MSC/IM site (figure 1). Well IM-1 was installed adjacent to an underground storage tank at the IM site and well IM-2 was located upgradient near the IM site's boundary with the MSC site. Samples from both wells contained VOC's, including TCE, TCA, DCE, and Freon-113. Soil samples from the well borings indicated VOC pollution of the soil at the site of well IM-1. Soil from the IM-2 boring showed no VOC pollution. Based on the data collected, it was possible to conclude that a release of solvents had occurred in the area of well IM-1 and the IM underground storage tank. The absence of soil pollution from the IM-2 boring indicated that groundwater pollution in this well originated from someplace else. Because IM-2 is upgradient from well IM-1, the source of pollution is not likely to have been from the area of IM-1. The lack of soil pollution at well IM-2, and its location close to the MSC site indicated that, as of 1982, the source of the pollution in well IM-2 could be either the MSC site or further upgradient beyond the MSC site.

In August 1986, two upgradient monitoring wells were installed at the MSC site to investigate an upgradient pollutant source. Samples from these wells contained VOC's at concentrations higher than in samples from the downgradient wells. Subsequent investigations have confirmed that the MSC site is a source of VOC pollution that has impacted groundwater and migrated offsite.

A site investigation was performed on the property immediately upgradient of the MSC site in 1987 as part of a property transfer. This is the site labeled Fujitsu in Figure 1. Five monitoring wells were constructed as part of the investigation. Sampling results from these wells were non-detect for VOC's except for two wells which had very low levels of Freon-113 in the groundwater (1.4 ppb and 4.0 ppb respectively). Based on these sampling results it does not appear that this upgradient site had any chemical releases to groundwater that could have impacted the MSC or IM sites.

A series of four monitoring wells located on the adjacent Metropolitan Corporate Center (MCC) property close to the property boundary with the MSC site has established that groundwater pollution on the MCC site is separate from and has no connection with groundwater pollution at the MSC site.

Based on this data it appears that groundwater pollution present at the MSC site is due to onsite chemical releases, and that groundwater pollution has not migrated to the MSC site from an upgradient or cross-gradient source.

BI has submitted a chemical use history dated July 29, 1993 for IDT for the time IDT was a tenant at the MSC site. This chemical use history indicates that, although IDT used numerous chemicals, none of them were VOC's that

have been detected in the site's groundwater. It is not known whether any proprietary chemicals used at IDT contained the VOC's detected. Nevertheless, since groundwater pollution has not migrated onsite from upgradient sources, a chemical release must have taken place during IDT's tenancy at the MSC site.

IDT was a tenant at the MSC site from May 1979 to June 1984. VOC pollution found in groundwater samples from well IM-2 when it was installed in 1982, up through June 1985 when a new tenant, MSC, leased the property, must have been caused by a chemical release during the time IDT occupied the MSC site.

MSC occupied the MSC site from June 1985 to December 1986. Subsurface investigations have shown that MSC also is responsible for the release of chemicals to soil and groundwater. Increased levels of Freon-113 that began to be detected in wells IM-2 and IM-1 beginning in 1987 appear to be attributable to MSC.

As such, IDT is responsible for a release of chemicals to groundwater that has contributed to the current groundwater pollution problem at the combined MSC/IM site.

6. BASIS FOR NAMING BI IDT initially occupied the MSC site in May 1979. In July 1979, BI guaranteed IDT's lease. At this time, IDT was a subsidiary of BI. IDT was merged into BI in 1986. As the parent company of IDT during the time IDT caused a release of pollution to groundwater at the MSC/IM site, and the successor company to IDT, BI is also responsible for participating in the cleanup of pollution at the MSC/IM site.
7. The Board finds that IDT and BI are dischargers and PRP's for the purposes of this Order and Board Order No. 91-119, the Site Cleanup Requirements for the combined MSC/IM site.
8. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the dischargers, successors and assignees shall cleanup and abate the effects described in Site Cleanup Requirements Order No. 91-119 and the above findings of this Order Amendment as follows:

A. PROVISIONS

1. The discharger(s) shall comply with all requirements of Order No. 91-119 and this Amendment, and shall cleanup and abate groundwater pollution in

accordance with the cleanup levels and actions stated in Order No. 91-119.

2. This Order amends Site Cleanup Requirements, Order No. 91-119.

I, Steven R. Ritchie, Executive Officer, do hereby certify that the foregoing is full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on November 19, 1993.



Steven R. Ritchie
Executive Officer

Attachment: Figure 1

